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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,605	09/14/2001	Hugh William Bramwells	A-70910/DJB/MAK	7263
7590 06/21/2004			EXAMINER	
Flehr Hohbach Test Albritton & Herbert			HANSEN, JAMES ORVILLE	
Four Embarcadero Center Suite 3400			ART UNIT	PAPER NUMBER
San Francisco, CA 94111-4187		3637		
			DATE MAILED: 06/21/2004	1

Please find below and/or attached an Office communication concerning this application or proceeding.

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## **Advisory Action**

-	Application No.	Applicant(s)	
	09/936,605	BRAMWELLS, HUGH WILLIAM	
	Examiner	Art Unit	
	James O. Hansen	3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in

PERIOD FOR REPLY [check either a) or b)   a)  The period for reply expires \$\infty\$ months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statulory period for reply expire later than \$\infty\$ MONTHS from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee macron filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee macron filed is the date for purposes of act from the filed is the date for purposes of an extension fee macron filed is the date for purposes of the filed filed in the purpose of the filed filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2 \[ \text{The proposed amendment(s)} will not be entered because:  (a) \[ \text{The proposed amendment(s)} will not be entered because:  (b) \[ \text{The proposed amendment(s)} will not be entered because:  (c) \[ \text{The proposed amendment(s)} will not be entered because:  (d) \[ \text{The proposed or amended claim(s)} would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  (d) \[ The prior	condit Exam	ion for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued ination (RCE) in compliance with 37 CFR 1.114.
b)		PERIOD FOR REPLY [check either a) or b)]
event, however, will the stautury period for reply expire later than \$XM MONTHS from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.191 (a) is calculated from date of the schered stautory pointed for reply originally set in the file of the filed within the period set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any carried patent term adjustment. See 37 CFR 1.794(b).  1 A Notice of Appeal was filed on 30 March 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2 The proposed amendment(s) will not be entered because:  (a) The proposed amendment(s) will not be entered because:  (b) They raise the issue of new matter (see Note below);  (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet.  3 Applicant's reply has overcome the following rejection(s):  4 Newly proposed or amended claim(s). would be allowable if submitted in a separate, timely filed amend	· -	_ ,
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<ul> <li>(a) ⊠ they raise new issues that would require further consideration and/or search (see NOTE below);</li> <li>(b) ☐ they raise the issue of new matter (see Note below);</li> <li>(c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</li> <li>(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet.</li> <li>3.☐ Applicant's reply has overcome the following rejection(s):</li> <li>4.☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>5.☐ The a)☐ affidavit, b)☐ exhibit, or c)☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because:</li> <li>6.☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</li> <li>7.☒ For purposes of Appeal, the proposed amendment(s) a)☒ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.</li> <li>The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) dijected to: 10.</li> <li>Claim(s) withdrawn from consideration:</li> <li>8.☐ The drawing correction filed on is a)☐ approved or b)☐ disapproved by the Examiner.</li> <li>9.☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)</li> <li>10.☐ Other:</li> </ul>	1. 🖾	
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James O. Hansen	10.	
		James O. Hansen

Primary Examiner Art Unit: 3637

Continuation Sheet (PTOL-303) 09/936,605

Application No.

Continuation of 2. NOTE: The proposed amendments to the claims would require further consideration and search as presently presented. The proposed amendments to claim 10 do not include the limitations of claim 8 upon which claim 10 was deemed allowable [all of the limitations of the base claim (claim 1) and any intervening claims (claim 8)].